

Remarks/Arguments

Claims 8-15 are pending. Claims 8 and 15 stand rejected under 35 U.S.C. 102(e) as being anticipated by Rzeszewski (United States Patent No. 5,699,125). Claims 8 and 15 have been amended. Applicant respectfully requests reconsideration and removal of these rejections for at least the following reasons.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See, M.P.E.P. §2131 citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits the cited prior art references fail to teach each of the limitations of the present claims.

One advantage of the claimed invention is "the database (300) is furnished with a structure which allows it to respond rapidly to the user's commands". *See, page 13 line 4.* To do that, the description discloses on page 13:

The database can be divided into two parts. The first part relates to the acquisition of the information from the service module (360) of the Open TV system and also to the processing of advisory messages so that the information received and stored in this first part is not stable but is constantly evolving with the updating of the stream. The second part stores the image of these data, this image being intended for restitution at the user. It is controlled by the acquisition part, and the data are swapped from the acquisition part to the restitution part at particular moments. The aim of the restitution part is to provide as stable as possible a copy of the data of the DVB stream. Therefore, it takes on a dual function. On the one hand, it administers the user's requests and provides a sorting of the database. On the other hand, it plays the role of database, the structure of which is destined to be identical to that of the acquisition part. *(emphasis added)*

Consistently, Claim 8 has been amended to recite, in part, "copying information stored in the first database to a second database of the receiver for the updating of the second database, the second database having a same logical structure as the first database, wherein the copying stores data in the first database and the second database in an identical manner." The transfer of data is rapid because there is no transformation of data, *i.e.* the data in the first database and the second database are identical. Moreover, the fact that the two databases have the same logical structure allows a program to know in advance in which place the transferred data will write.

The cited prior art fails to teach or suggest such a feature.

Rzeszewski discloses a method and device for receiving and storing an electronic program guide (EPG). The goal is to limit the memory size and processing power required to store EPG data. The microprocessor 14 captures data from the decoder and stores them in a memory 18. Rzeszewski discloses at column 6, line 6 :

If the stored database information associated with the subject channel is current, in block 38, the microprocessor 14 copies the stored database for the subject channel from the memory 18 to the VRAM of the character generator (not shown) in the microprocessor 14.

Even assuming *arguendo* that memory 18 of Rzeszewski contains two databases, where the first is used for the acquisition and the second is used for the displaying on a screen, it is obvious that the form of the data in the acquisition part depend on the acquisition means, and the form of data in VRAM depends on the displayed content.

Therefore, the memory 18 and the VRAM do not have the same logical structure. It is clear in the Rzeszewski description: the data stored in the VRAM concerns only the displayed content, and not the data received from the decoder. Moreover, the manner for storing in memory is completely different. The data received from the decoder comes from the stream and is packetized according to broadcast television standard. At the opposite, the data stored in the VRAM is aimed to be displayed, therefore after the copying, this data are

structured for facilitating the displaying.

Accordingly, Applicant requests reconsideration and removal of the rejection of Claim 8, at least by virtue that Rzeszewski fails to teach or suggest each of the limitations of Claim 8 – namely, at least, “copying information stored in the first database to a second database of the receiver for the updating of the second database, the second database having a same logical structure as the first database, wherein the copying stores data in the first database and the second database in an identical manner.” Applicant also requests reconsideration and removal of the rejections of Claims 9-14 as well, at least by virtue of these claims’ ultimate dependency upon a patentably distinct base Claim 8.

Turning now to Claim 15, it, in part, “means for copying the acquired list of broadcast services to a second database having a same structure as the first database; ... wherein, the second database has a same logical structure as the first database, and the copying stores the acquired list of broadcast services stored in the first database in the second database in an identical manner as it is stored in the first database” Accordingly, Applicant submits Rzeszewski fails to teach or suggest each of the limitations of Claim 15 for at least the foregoing reasons as well.

As set forth above, Rzeszewski does not copy an acquired of broadcast services to VRAM – rather, the data stored in the VRAM concerns only the displayed content. Further, Rzeszewski does not copy an acquired list of broadcast services, wherein, the second database has a same logical structure as the first database, and the copying stores the acquired list of broadcast services stored in the first database in the second database in an identical manner as it is stored in the first database – as is also recited by Claim 15, at least by virtue that the data stored in the Rzeszewski VRAM concerns only the displayed content.

Accordingly, Applicant requests reconsideration and removal of the rejection of Claim 15 as well.

CONCLUSION

Having fully addressed the Examiner's rejections, Applicants submit that the present application is in condition for allowance and respectfully request such action. No fee is believed due in regard to the present amendment. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-6815.

Respectfully submitted,


By: Reitseng Lin
Reg. No. 42,804
Phone (609) 734-6813

Patent Operations
Thomson Licensing Inc.
P.O. Box 5312
Princeton, New Jersey 08540
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